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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/589,655

08/16/2006

Olivier Heen

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24498 7590 05/11/2010

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EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT

PAPER NUMBER

2454

MAIL DATE

DELIVERY MODE

05/11/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/589,655	Applicant(s) HEEN ET AL.	
	Examiner MOHAMMAD A. SIDDIQI	Art Unit 2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 March 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 5-12 are examined. Claims 1-4 have been cancelled. Claims 11-12 are new.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/05/2010 has been entered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 5-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Eiden et al. (6,829,487) (Hereinafter Eiden).

5. As per claim 5, Eiden discloses a method for inserting a new device in a community of devices comprising (fig 1-2): selecting, by a user, a user chosen device from one of the community of devices for authorizing insertion of a new device into the community (fig 2, col 5, lines 1-33);

storing, by each device of the community which receives an insertion request from a new device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device), the insertion request in a memory of said device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device);

forwarding (col 5, lines 10-13, message transmitted to each group member), by each device of the community which receives a request from the user chosen device (elements of fig 2, col 6, lines 22-58), the at least one stored insertion request to said user chosen device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device);

performing, by the user chosen device, at least one user action for authorizing the insertion of the new device into the community (votes for the new member, elements of the fig 2, col 6, lines 22-58).

6. As per claim 6, Eiden discloses further comprising a

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step of: selecting, using the user interface of the user chosen device (fig 1 and 2, col 6, lines 22-58), one of the insertion requests received by the user chosen device, to authorize the device having emitted said insertion request to be inserted in the community (voting, elements of fig 2, col 6, lines 22-58).

7. As per claim 7, Eiden discloses further comprising a step of: sending, from said user chosen device, an insertion request to the new device inserted in the community to request that said user chosen device enters the new device's community (fig 1-2, col 6, lines 22-58).

8. As per claim 8, Eiden discloses wherein said insertion request from said user chosen device is transmitted to the new device inserted in the community through the device of the community having first forwarded (message can be transmitted, col 5, lines 10-15, voting anticipates forwarding info to every member in the group) the insertion request from the new device to the user chosen device in case said user chosen device cannot directly communicate with the new device community (voting, elements of fig 2, col 6, lines 22-58).

9. As per claim 9, Eiden discloses device adapted to belong to a community of networked devices, characterized in that wherein said device comprises:

a first memory for storing at least one insertion request received from a new device requesting to be inserted in the community (fig 4, col 6, lines 22-58);

a network interface (fig 4, col 2, lines 19-21) for sending the at least one insertion request stored in said first memory upon request from a device chosen by a user of the community for performing at least one user action for authorizing the insertion of the new device in the community (votes for the new member, elements of the fig 2, col 6, lines 22-58);

a second memory for storing insertion requests sent by other devices of the community (204, 205, fig 2, col 6, lines 22-58)

10. As per claim 10, Eiden discloses a user interface allowing a user to select one of the insertion requests received by the user chosen device (fig1-2), to authorize the device (votes for the new member, elements of the fig 2, col 6, lines 22-58) having emitted said insertion request to be inserted in the community when said device is the user chosen device (votes for the new member, elements of the fig 2, col 6, lines 22-58).

11. As per claim 11, Eiden discloses insertion requests contain a provable identity of the new device (col 3, lines 1-33).

12. As per claim 12, Eiden discloses the device having received an insertion request from a new device is further able to broadcast the provable identity of the chosen device to the new device (fig 1-2, col 3, lines 1-33, message transmitted to every member of the group).

Response to Arguments

13. Applicant's arguments with respect to claims 5-10 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD A. SIDDIQI whose telephone number is (571)272-3976. The examiner can normally be reached on Monday -Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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MS
/NATHAN FLYNN/
Supervisory Patent Examiner, Art Unit 2454